

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No. 08 CV 1490-AKH

DREW SCIENTIFIC, INC.,)
Plaintiff)
vs.)
)
POINTCARE TECHNOLOGIES, INC.,)
Defendants.)

AFFIDAVIT OF JENNIFER M. WAITE

I, Jennifer M. Waite, declare:

1. I am a software engineer at PointCare Technologies, Inc. ("PointCare"). I graduated from Worcester Polytechnic Institute in 2001 with a B.S. degree in Computer Science. I was hired by PointCare in July of 2003. I make this Affidavit on personal knowledge, except where specifically stated.
2. Since starting at PointCare, I have worked on several aspects of the software packaged with our medical devices including instrument control (sequencing), user interface, and patient data management. During the time of the HT project, I was working under Andrea Desrosiers, PointCare's software manager. Karl Gu, Drew's software manager, was the leader of the HT project software development team which included me, Ms. Desrosiers, Dorothy Branco, and Drew consultant Jason Werner of Capsher Technologies.

Percentage of My Time Devoted to HT Project

3. My involvement with the HT project began in approximately the middle of July 2006. After starting work on the project, I devoted approximately forty percent of my total work effort for the rest of July to it. In August, I devoted approximately fifty percent of my total work effort to the HT project. By September of 2006, I was devoting nearly one hundred percent of my

work effort to the HT project, and that did not change until June of 2007 when I spent two weeks on the NP project (including a one week business trip to France).

Software Tasks and Responsibilities on HT Project

4. Mr. Gu visited PointCare on July 13-14, 2006. Ms. Desrosiers, Don Barry (PointCare's Project Manager for the HT project) and I had several meetings with Mr. Gu during this time. Mr. Gu gave us an overview of the instrument hardware and software architecture of Drew's Excell 2280, the platform Drew was supposed to modify to become the HT instrument. He also explained which parts of the Excell 2280 software needed to be developed as part of the HT project. After the meeting, it was my understanding that Drew would be responsible for the instrument control software (software that controls the hardware components of the instrument) and the service software (software that enables testing of the hardware components). PointCare would be responsible for developing the User Interface (the graphical interface between the instrument and the operator) and also the CD4 algorithm (mathematical software that computes the CD4 test results from the raw data acquired by the hardware).

My Work on the User Interface

5. My specific responsibility on this project was to develop the user interface. In general terms, I was to take the already existing user interface program developed and used by Drew for the Excell 2280 instrument and modify it to meet the requirements of the HT instrument. During these initial meetings, Mr. Gu reviewed the existing Excell 2280 user interface with me screen by screen and outlined each visual change that needed to be completed. These changes included modifications to the physical user screens as well as several modifications to the patient result and configuration databases.

6. Over the course of the next month, I created a document for Mr. Gu specifying the changes I would be making to the patient data and configuration databases to support the CD4 testing function of the HT instrument. During August and September 2006, Mr. Gu and I were in frequent contact about many aspects of the user interface software and corresponding database development and he seemed content with my progress on my assigned tasks. See Exhibit 1 hereto (PointCare Supp10027-28), a true copy of e-mails between me and Mr. Gu

7. At the end of September 2006, Mr. Gu informed me that he was having Capsher Technologies (a Drew consultant) design some custom software to be integrated into the user interface that would change the look and feel of the HT's main screens. Mr. Gu sent me mock-ups of two of the screens with the new graphics layout. He asked me to put these new graphics in the software and get feedback on them from the PointCare team.

8. A meeting was held at PointCare on or around November 3, 2006, with a subsequent conference call with Mr. Gu on November 6, 2006, to answer the many questions that arose during the meeting. The new graphics layout was positively received by PointCare and it was decided that I would apply this new graphics scheme throughout the entire user interface. The work of integrating the custom software code written by Capsher, as well as applying the new graphics scheme throughout the user interface, were tasks in addition to my original set of tasks outlined in July.

9. From December 5 through December 8, 2006, I visited Dallas with Ms. Desrosiers to meet with Mr. Gu and Mr. Werner. The purpose of this business trip was to discuss the current status of the user interface software, software validation (the process of testing software compliance with its specifications), software integration issues, and the CD4 algorithm. As the meeting minutes (written by Drew) attest, Mr. Gu ("KG") and Mr. Werner ("JRW") were to

“lead the integration user interface part of the software project” and were to be ultimately responsible for integrating the User Interface and the CD4 algorithm. See Exhibit 2 hereto (PointCare Supp 09895-09898) at PointCare Supp 09896 (text circled), a true copy of notes prepared by Drew and forwarded to us regarding our December meetings in Dallas.

10. At the end of January 2007, Karl Gu thanked me for my hard work and seemed pleased with the status of the user interface at that time. See Exhibit 3 hereto (PointCare Supp 09884-09886) at PointCare Supp 09884, a true copy of e-mails between me and Mr. Gu. By that time, I had integrated (into the user interface) and tested the custom graphics software written by Mr. Werner at Capsher. I had also applied the new graphics scheme to all user screens. I still had other tasks to complete but those were all spelled out to Mr. Gu in great detail in a “TO DO” list spreadsheet which I sent to him weekly.

Drew Breaks Promise to Lead User Interface Integration Effort

11. At that time (end of January, 2007), the task of integrating (i.e., creating the links between) my user interface software and the CD4 algorithm developed by fellow PointCare colleague Dorothy Branco, was yet to be completed. The algorithm calculates CD4 test result values, and then passes them on to the user interface through these links. The test results are then displayed by the user interface on the screen. Despite the fact that Mr. Gu and Mr. Werner were supposed to be leading this integration effort (see ¶ 9 above), because Mr. Gu claimed to be very busy, I took the initiative to start the integration work. I created a document, which I sent to Mr. Gu and Mr. Werner, that outlined my understanding of what was needed to link the user interface to the CD4 algorithm. See Exhibit 4 hereto (PointCare Supp 10987-88), a true copy of e-mails between me and Mr. Gu. I had expected Mr. Gu and Mr. Werner to help with this task

(integration) as had previously been agreed. No help was forthcoming. I continued to try to complete the integration on my own without their promised assistance.

12. On February 15, 2007, I sent an email to Mr. Gu about the status of my work. I described in detail some difficulties I was having with the software. These difficulties included the integration of the CD4 algorithm with the user interface software as well as the repeated crashing of the custom graphics software module written by Mr. Werner. I asked Mr. Gu for help with the integration as he had previously promised. Mr. Gu had prior experience integrating algorithm software with the Excell 2280 user interface software. I expected it would be relatively simple for him to help debug the problems Ms. Branco and I were experiencing. To make it easier for Mr. Gu to help us debug the problems, I even went through the trouble of putting all of the user interface and relevant part of the CD4 algorithm software (i.e., Dynamic Link Library Wrapper or "dll") source code files onto PointCare's FTP server (a secure means of sharing information over the internet) for Mr. Gu to download and review. See Exhibit 5 hereto (PointCare Supp 10279-283), a true copy of e-mails between me and Mr. Gu.

13. Mr. Gu responded tersely several days later saying that he did not have time to help debug any of the problems. He referred us to Capsher Technologies and said that it was PointCare's responsibility to pay Capsher if we wanted any help debugging. See Exhibit 6 hereto (PointCare Supp 10004-09), a true copy of e-mails between me and Mr. Gu. This was completely contrary to our discussion and understanding during my trip to Dallas in December (captured in the meeting minutes) where it was agreed that it would be Mr. Gu's and Mr. Werner's responsibility to lead the integration effort. Capsher eventually helped us solve the software problems but their delay set the software development back by approximately one

month. See Exhibit 7 hereto (PointCare Supp 11035), a true copy of an e-mail from me to Capsher Technologies.

User Interface Software Sufficiently Complete and Integrated for Testing on HT

14. Between April 22 and May 3, 2007, I traveled to Drew in Dallas to work with Mr. Gu to get the user interface running on an instrument and conduct initial tests of the software. Mr. Gu and I worked together for several days and were able to get the software running on the instrument to the point where results were being reported by the software on the screen. Put simply, this meant that all of the different pieces of software had been successfully integrated and were working together properly. This was a significant milestone in the development of the HT software.

15. Very few software features remained to be completed by the end of this trip. The software was at a point where Drew could start its software validation testing.

Drew Has All Necessary Software Code and Files

16. Before I left Dallas, I gave Mr. Gu (on his USB flash drive) everything he needed from me (all of the source code to the user interface and CD4 algorithm, as well as all supporting project files) so that William Ross (a Drew technician) could start the software validation testing on an HT instrument at Drew.

**I Continue Completing Remaining Software Tasks and Promptly Transmit
Software Updates to Drew: Drew Is Silent**

17. Following my return to PointCare from Drew in early May, I worked on the few software features that remained to be completed. By June 2nd I finished updates to the user interface software and I emailed Mr. Gu that the updates were available for download on our FTP server. I also included in this email a list of software functions that still required some work, most of

which were superficial in nature or had been deemed by Mr. Gu not to be critical for the software's initial release. In no way would these incomplete functions have prevented Mr. Ross from installing the software on an HT instrument and beginning the software validation process. See Exhibit 8 hereto (PointCare 11184-85), a true copy of e-mails from me to Karl Gu and William Ross at Drew. Indeed, I received no response from Drew to this email.

18. Six days later, on June 8th, 2007, I emailed Mr. Gu and Mr. Ross updated software that Mr. Gu had requested during my last trip to Dallas. See Exhibit 9 hereto (PointCare Supp 10813-14), a true copy of an e-mail from me to Karl Gu. Mr. Gu sent a response on the same day saying that Mr. Ross would try the new software soon. See Exhibit 10 hereto (PointCare Supp 100014-15), a true copy of an e-mail from Karl Gu to me. After that, I never received a response from Drew about any software validation testing results.

Drew's Failure to Correct Hardware Errors Impedes My Further Software Progress

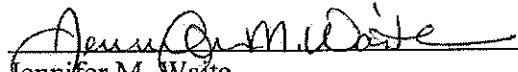
19. In July 2007, I worked on the "STAT Sample" feature (a feature that allows the user to pause the instrument while it is processing multiple blood samples for the purpose of testing a single emergency blood sample), the last required feature to be completed in the user interface. I ran into problems with the instrument giving me hardware errors because the "sequencing deck" (instrument control software created by Drew) was trying to access a hardware component that did not exist. These hardware errors prevented me from proceeding with the development of the "STAT Sample" function.

20. On July 20th, I wrote an email to Mr. Gu requesting that he ask George Chappell (a Drew engineer responsible for the decks) to modify the deck so that I would not get any more hardware errors. See Exhibit 11 hereto (PointCare Supp 11316-17), a true copy of e-mails between me and Mr. Gu. I received a response from Mr. Gu on July 24th saying Mr. Chappell had been informed

of my request on the 23rd. See Exhibit 12 hereto (PointCare Supp 10157-59), a true copy of e-mails between me and Mr. Gu. At my request, my colleague Amy Coughlin also contacted Drew for a status update, which Drew failed to provide. I did not receive Mr. Chappell's fix to the deck until November 21, 2007 – a full four months after my request. See Exhibit 13 hereto (PointCare Supp 09828-30), a true copy of an e-mail between me and Mr. Chappell. I was unable to work at all on the "STAT Sample" function during Drew's delay.

21. While waiting for Mr. Chappell's fix, I started working full time on PointCare's NP instrument. Due to the silence from Drew, I was never actually able to complete the "STAT Sample" feature of the User Interface Software. My work on the NP project did not interfere with my work on the HT project.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 25th day of April, 2008, in Marlborough, Massachusetts.


Jennifer M. Waite

01239293

EXHIBIT 1

From: Karl Gu [kgu@mwi-danam.com]
Sent: Monday, August 28, 2006 11:20 AM
To: Jennifer Waite
Cc: Andrea Desrosiers; Don Barry
Subject: RE: DB Doc

Hi Jen,

I reviewed the doc and everything looks good. Thank you.

Regards,
Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Monday, August 28, 2006 11:01 AM
To: Karl Gu
Cc: Andrea Desrosiers; Don Barry
Subject: RE: DB Doc

Karl,

Here is an updated version with the parameters in the Control Table in the same order as the parameters in the Datalog Table. I also made a small change to the CD4 Control Table.

-jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

work: jwaite@pointcare.net

personal: jwaite@alum.wpi.edu

-----Original Message-----

From: Jennifer Waite
Sent: Monday, August 28, 2006 10:54 AM
To: 'Karl Gu'
Cc: Andrea Desrosiers; Don Barry
Subject: DB Doc

Hi Karl,

Attached is the AuRICA HT/Excell24 database doc that depicts current and future design. Everything that I will be adding to support the CD4 test is in RED.

-jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

work: jwaite@pointcare.net

personal: jwaite@alum.wpi.edu

EXHIBIT 2

Drew Scientific Inc.

Document Title: CD4 Customer Software Project Status Meeting

Author: Jason Werner, Karl Gu

Date: December 13, 2006

Summary:

This document describes the points discussed during the meeting between Drew Scientific and PointCare, along with the action points for each person attending.

Attendees:

Name	Initial	Title	Company
Karl Gu	KG	Software Engineer	Drew Scientific
Andrea Desrosiers	AD	Software Manager	PointCare
Jennifer Waite	JW	Software Engineer	PointCare
William Ross	WR	Validation Manager	Drew Scientific
Jason R Werner	JRW	Software Developer	Capsher Technology

Status of User Interface Software:

The user interface software is close to 50% done and PointCare team estimate to finish all required changes by end of January 2007. KG suggests PointCare considering use external resources as needed to speed the process and meet deadline.

Meeting Topics:**1. Validation****Points Discussed:**

- It was decided that both PointCare and Drew Scientific would be responsible for writing their own validation procedures.

Action Items:

- WR is responsible for the validation document for Drew Scientific.
- AD is responsible for ensuring that the validation document is written for PointCare.
- Drew Scientific will provide PointCare with the current validation document for the EXCELL 2280 analyzer.

2. Integration

Drew Scientific Inc.

Points Discussed:

- JRW and KG will lead the integration user interface part of the software project. This currently consists of helping with integration issues related to the User Interface, CD4 dll, ActiveX controls, calculation utilities, and autosampler logic.

Action Items:

- JRW/KG will assist Jennifer Waite with Autosampler logic questions and ensure that the code logic is correct.
- JRW will complete and send ActiveX controls to PointCare and assist with integration of each control.

3. PointCare Issues

Points Discussed:

- Screen resolution of 800X600 looks bad on current touch screens and no solution found yet.
- PointCare needs to determine barcode format for CBC/CD4 controls and samples.
- Need to determine when the computer is operating off of UPS.

4. UI Tasks Remaining

Points Discussed:

- Major tasks written in the Aurica HT User Interface Tasks document were reviewed by AD, KG, JRW, and Jennifer Waite.
- Each task written in the Aurica HT User Interface Tasks document was later reviewed again by JRW and Jennifer Waite to estimate development time.
- Screen layout will be changed on major screens by writing layout function.
- Unused control buttons will be hidden on menu.

Action Items:

- JW will make a check list for each item remaining so that it can be checked off as it is completed.
- JW is working on having the UI tasks completed by the end of January.
- JW is responsible for modifying all screens to use the new graphics.
- JW will implement hiding of unused buttons.

5. Image Buttons

Points Discussed:

- Image buttons will contain both an image and text. The text will be on the lower portion of the button.

Drew Scientific Inc.

- Image display will be configurable so that it can be enabled and disabled to meet both PointCare and Drew Scientifics needs.
- All buttons on main screen will contain images.

Action Items:

- JW will work with Dennis Chappell to design new image buttons that are square instead of round. Only make changes for a couple of screens first and proceed after input from marketing.
- JW will integrate the new buttons into the software and make the image display configurable. This includes all normal user accessible screens.

6. Results screens

Points discussed:

- The software was modified to use only *one* results screen, but it was decided to use *two* results screens to remove any confusion in the logic behind the scenes.

Action Items:

- JW will reverse the software back to use two results screens instead of one to remove any confusion.

7. Calibration Samples

Points discussed:

- Calibration samples will be run separate from other samples.
- Calibration tube will be placed in position 1 of the carousel.
- The logic for running the calibration samples will be similar to the batch processing.

Action Items:

- JW will modify the software handle configuration a calibration sample. The user will be able to define the number of times a calibration sample is processed as specified in the original user interface change document.

8. Autosampler Logic

Points discussed:

- The autosampler logic was discussed and detailed by KG, JW, and JRW.
- Three different logical procedures were discussed: Preparing Work Queue, Running a Batch, and Running a Stat.

Action Items:

Drew Scientific Inc.

- JRW will create flow charts detailing the logical procedures followed for each scenario.
- KG will verify flow charts.
- Basic logic is in place and JW will implement the remaining change in software.

9. Installation

Points discussed:

- The installation procedure will need to be modified for the Aurica software. There were questions related to how this can be modified.
- The software will need to be installed from a USB removable drive.

Action Items:

- AD? will be looking into how this is currently being done and figure out how this should be modified.

10. CD4 Algorithm

Points discussed:

- The API for the CD4 dll was discussed, which consisted of three basic functions as outlined by KG: *LoadCD4Param*, *CalculateCD4*, and *ReadCD4*.
- Also discussed was the integration of the dll into the existing architecture. The CD4 dll will be available to both the CBC dll and the VB app.
- The computation time is too long. User interface may be frozen for over 20 seconds and user input could be lost.

Action Items:

- AD will be working with another person from PointCare on implementing the discussed interface for the CD4 algorithm dll. CD4 configuration parameters need to be provided to implement the dialogue screen in service software.
- AD will make the CD4 dll run faster and not freeze the user interface.
- JRW/KG will be assist with questions related to integration of the dll into the software.

EXHIBIT 3

From: Karl Gu [kgu@mwi-danam.com]
Sent: Tuesday, January 23, 2007 3:29 PM
To: Jennifer Waite
Cc: Andrea Desrosiers; Don Barry; dcleftthis@hotmail.com; jwerner@capsher.com
Subject: RE: AuRICA HT UI Update

Hi Jen,

Thank you for the hard work. Here are a few short comments:

1. Graphics buttons:

Overall looks pretty good and Dennis done a good job. However I do not like some buttons (for example the exit in main menu). For now we need some inputs from marketing and in the mean time, just go ahead to ask Dennis to create the remaining buttons. We will change some buttons at the end of review. Dennis just started a new job to do graphics for Xbox games. We need to ask him to finish the work now before he got too busy for his new job.

2. ActiveX controls

We know there are some bugs in the control and Jason will fix that.

3. Calculation structure

The design is to have two separate dll and VB will call cd4 dll to get CD4 and CD4% as needed through a ReadCD4 function call. So you have to call both functions and re-pack them together as 24 parameters.

We still shoot for the end of month to finish the VB and send to me once you done. I will ask William to do some initial testing using the first prototype machine. Right now we are debugging the service software and the hardware in the same time. You may want to know, we already have full CD4 cycles working from software point of view.

Regards,
Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Tuesday, January 23, 2007 8:59 AM
To: Karl Gu; jwerner@capsher.com
Cc: Andrea Desrosiers; Don Barry; dcleftthis@hotmail.com
Subject: AuRICA HT UI Update

Hi Karl and Jason,

This email might be a bit long...so bear with me. I will break it up into sections.

TO-DO LIST

I've attached my updated to-do list. There's still quite a bit more to finish... but I've made a lot of progress am still working with a goal of the end of the month to finish my UI tasks. I hope to be hooking it up to a prototype instrument for further testing once we get one in-house.

NEW GRAPHIC LAYOUT

I have applied the new graphics scheme(including Reagent ActiveX) to all screens. I've included some screen shots. Please take a look at them and show them around and let me know what you think!

CAROUSEL ACTIVEX

The Carousel ActiveX control is great! Everyone who has seen it here loves it. There are 2 problems that I've found with it so far. The first is that when the carousel spins, you can see a white background behind it, even though the background has been set to green. This looks a little odd. You can see it in the ASRun screen shot. Also... would it be possible to make the pop-up tube text box bigger? It is very small and I'm not able to include both the tube type and the barcode. I've included a screen shot of this as well. Would it be possible to fix these two things?

BUTTON IMAGES

I think Dennis' button images are great! I've put them on a blue background and applied them to the appropriate buttons, as you can see in the screen shots. The buttons without images will just show up as blue with black text. I've compiled a list of more buttons images I'd like Dennis to create... but need to get your approval first. Here is the list:

Startup Shutdown Menu

- * Full Startup
- * Quick Startup
- * Shutdown
- * Log Out

Datalog Menu

- * Find
- * Accept/Reject

Auxiliary Menu

- * Date/Time

Maintenance Menu

- * Maintenance Log
- * Reagent
- * Sample Status

Advance Maintenance

- * Shipping

Replace Reagents

- * Diluent
- * Sheath
- * Cleaner
- * Lyse
- * CD4 Gold
- * CD4 Prep
- * Replace

Common Buttons

- * Save
- * Delete

* Add
 * Select
 * Browse

CHANGE TO CALCULATEDRESULTS STRUCTURE

When ReadResults() in Hematology.dll is called from the VB, the CalculatedResults structure is passed in and populated. I increased the size of the Results array within this structure to accomodate the new CD4# and CD4% result parameters which I put at the 6th and 12th element respectively because that is where they lie on the results screen. Karl, when you create the new Hematology.dll, can you adjust the code so that the CBC results are put in Results array in the following manor? I will then pass the same structure to CD4.dll so that it can populate the CD4 result parameters.

```
CalculatedResults.Results(0) = WBC
CalculatedResults.Results(1) = Neut#
CalculatedResults.Results(2) = Lymp#
CalculatedResults.Results(3) = Mono#
CalculatedResults.Results(4) = Eos#
CalculatedResults.Results(5) = Bas#
CalculatedResults.Results(6) = (leave blank for CD4#)
CalculatedResults.Results(7) = Neut%
CalculatedResults.Results(8) = Lymp%
CalculatedResults.Results(9) = Mono%
CalculatedResults.Results(10) = Eos%
CalculatedResults.Results(11) = Bas%
CalculatedResults.Results(12) = (leave blank for CD4%)
CalculatedResults.Results(13) = RBC
CalculatedResults.Results(14) = Hgb
CalculatedResults.Results(15) = Hct%
CalculatedResults.Results(16) = MCV
CalculatedResults.Results(17) = MCH
CalculatedResults.Results(18) = MCHC
CalculatedResults.Results(19) = RDW%
CalculatedResults.Results(20) = Plt
CalculatedResults.Results(21) = MPV
CalculatedResults.Results(22) = PCT%
CalculatedResults.Results(23) = PDW
```

Well, that's it for now... I'm looking forward to your feedback! If you would like to speak to me...I will not be in the office today but you can reach me tomorrow.

Thanks!
 -Jen

Software Engineer
 PointCare Technologies
 508.281.6925 x15
 jwaite@pointcare.net

EXHIBIT 4

From: Jennifer Waite
Sent: Monday, January 29, 2007 4:19 PM
To: 'Karl Gu'
Cc: Andrea Desrosiers; Dorothy Branco
Subject: Latest CD4.dll Integration Doc

Attachments: CD4 DLL Integration v2.doc



CD4 DLL
Integration v2.doc (44 KB)
Hi All,

Here is the updated doc reflecting our discussion this morning. Default values for the CD4 Algorithm Parameters are included.

-Jen

Jennifer Waite
Software Engineer
PointCare Technologies, Inc.
tel: (508) 281-6926 x15
fax: (508) 281-6930
jwaite@pointcare.net

-----Original Message-----

From: Karl Gu [mailto:kgu@mwi-danam.com]
Sent: Monday, January 29, 2007 10:46 AM
To: Jennifer Waite
Cc: Andrea Desrosiers; Dorothy Branco; jwerner@capsher.com
Subject: RE: ActiveX control

Hi Jen,

I will try to call you at 11:00AM EST.

FYI, Jason is on vacation and later he will only work a few more days on the project (one day per week), mainly to clean up the service software.

Regards,

Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Saturday, January 27, 2007 11:15 AM
To: Karl Gu
Cc: Andrea Desrosiers; Dorothy Branco; jwerner@capsheer.com
Subject: RE: ActiveX control

Karl,

All problems with the Carousel are fixed! Thanks!!

On a different note...I've attached a document defining (our understanding of) what is needed to integrate CD4.dll to the User Interface, Hematology.dll and the Service Software. Please have a look and perhaps we can set up a conference call on Monday to discuss it.

There are a few other things we should also talk about including the UPS, software installation, and desktop lock-down.

Have a wonderful weekend!

-Jen

From: Karl Gu [mailto:kgu@nwi-danam.com]
Sent: Fri 1/26/2007 5:28 PM
To: Jennifer Waite
Subject: ActiveX control

Hi Jen,

Try and see if the problem remains.

Regards,

Karl

EXHIBIT 5

From: Jennifer Waite
Sent: Thursday, February 15, 2007 6:14 PM
To: 'Karl Gu'
Cc: Andrea Desrosiers; Dorothy Branco; Don Barry
Subject: CD4 UI and DLL code

Hi Karl,

If you go to <ftp://webmail.pointcare.net> <<ftp://webmail.pointcare.net/>> and log in with username "drewsci" and password "cowboys" you will see a folder called "15-Feb-07". In there you'll find a zip file for the UI and a zip file for the DLL..as well as my updated To Do list. Dorothy did not include the code for the actual CD4 algorithm..only the framework. Here is a short summary of what is left to be done/fixed..

1. CD4 DLL and UI Integration Issues

The UI is still getting the same error message when trying to call a function from the DLL. The error description is below in the email chain. For you to test these function calls ... copy the Excell24 directory to your C drive. Then, when you start the UI, go into the Datalog and try to view results for sample number 344. Make sure to put the ExcellCD4.dll file into your C:\Windows\System32 folder.

2. Microsoft Visual Basic IDE crashes with CarouselActiveX.ocx

In the code I gave you I removed the reference to the Carousel ActiveX control from the project...as well as commented out all code referring to the control. When this control is part of the VB project... I have trouble compiling, running, or even saving the project without the IDE crashing on me. Try it!

3. Adding CD4 to LIS Communications

Do you have a sample .ORD file you can send me? I assume this file will contain information about the sample type (CBC or CD4)... correct? Do you know how that will appear in the .ORD file?

4. Control Utility App

I need to update this for CD4 Controls.

5. A couple of other small things

See spreadsheet

6. UPS Communications

I haven't had a chance to do this yet

7. Installation

I haven't had a chance to do this yet.

Best Regards,

Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

-----Original Message-----

From: Karl Gu [mailto:kgu@mwi-danam.com]

Sent: Sunday, February 11, 2007 4:04 PM

To: Jennifer Waite

Cc: Andrea Desrosiers; Dorothy Branco

Subject: RE: dll header

Hi Jen,

I am extremely busy recently and may not have any time in two to three days. However, after that I will take a look if you could provide the following:

1. VB code
2. CD4 dll source without the actual algorithm, keep to yourself if you prefer.

Regards,
Karl

-----Original Message-----

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]

Sent: Sat 2/10/2007 11:38 AM

To: Karl Gu

Cc: Andrea Desrosiers; Dorothy Branco

Subject: FW: dll header

Hi Karl,

Dorothy and I are having a bit of trouble integrating her DLL calls into my UI code. I have included (at the bottom of this email) both the VB code declaring and calling the DLL functions as well as Dorothy's VC++ code for exporting the functions. I'm hoping that you can give us some advice since you've done this exact thing before with Hematology.dll. When we started debugging, we were getting the following VB error (from MSDN) at the call to LoadCD4Params():

Error in Loading DLL (Error 48)

A dynamic link library (DLL) <JavaScript:alink_3.Click()> is a library specified in the Lib clause of a Declare statement. This has the following causes and solutions:

* The file isn't DLL-executable.

If the file is a source-text file, it must be compiled and linked to DLL executable form.

* The file isn't a Microsoft Windows DLL.

Obtain the Microsoft Windows DLL equivalent of the file.

* The file is an early Microsoft Windows DLL that is incompatible with Microsoft Windows protect mode.

Obtain an updated version of the DLL.

* The DLL references another DLL that isn't present.

Obtain the referenced DLL and make it available to the other DLL.

* The DLL or one of the referenced DLLs isn't in a directory specified by your path.

Move the DLL to a referenced directory or place its current directory on the path.

Dorthy and then changed her code to use the PASCAL EXPORT calls. Now... when the UI calls LoadCD4Params()... the VB IDE crashes completely without giving any intelligent error message. Also... I can't even compile the UI executable without the VB IDE crashing before the compile is complete. (This started happening intermittently ever since I linked in the Carousel ActiveX code.)

Any help or advice you can give us would be great!!
-Jen

```

////////////////////////////////////
////////////////////////////////////
/

```

VB DECLARATIONS (in DllApp.bas):

```

'removed one parameter for easier debug
Public Declare Function LoadCD4Params Lib "C:\windows\system32\ExcellCD4.dll" (ByRef CD4
_Patient_Params As
CD4_Algorithm_Parameters) As Integer

```

```

'original declaration
'Public Declare Function LoadCD4Params Lib "C:\windows\system32\ExcellCD4.dll" (ByRef CD4
_Patient_Params As CD4_Algorithm_Parameters, ByVal CD4FCSFileId As String) As Integer

```

```

Public Declare Function ReadCD4Results Lib "C:\windows\system32\ExcellCD4.dll" (ByRef
WideAngleCD4 As Byte,

```

```

ByRef SmallAngleCD4 As Byte, _
ByRef ExtinctionCD4 As Byte, _
ByRef RightAngleCD4 As Byte, _
ByRef ClassificationCD4 As Byte, _

```

```

ByRef CalculatedResultsCD4 As Calculated_CD4, _
ByVal CD4FCSFileId As String, _
ByVal WBCCCount As Long, _
ByVal NeutCount As Long, _
ByVal LYMCCount As Long, _
ByVal MonoCount As Long, _
ByVal CBCFlags As Long) As Integer

```

```

VB FUNCTION CALLS (in frmDatalogresult.DisplayResults())

```

```

Dim i As Integer
If iSampleType = 4 Or iSampleType = 5 Then
    If iSampleType = 4 Then
        result = LoadCD4Params(CD4_Patient_Params)
        'result = LoadCD4Params(CD4_Patient_Params, strCD4FCS)
    Else
        result = LoadCD4Params(CD4_Control_Params)
        'result = LoadCD4Params(CD4_Control_Params, strCD4FCS)
    End If

    result = ReadCD4Results(WideAngleCD4(0), SmallAngleCD4(0), ExtinctionCD4(0), _
        RightAngleCD4(0), ClassificationCD4(0), _
        CalculatedResultsCD4, strCD4FCS,
        CalculatedResults.result(0), _
        CalculatedResults.result(1), CalculatedResults.result(2),
        CalculatedResults.result(3),
        CalculatedResults.Flags)
    MergeResults
End If

```

From: Dorothy Branco
 Sent: Fri 2/9/2007 5:03 PM
 To: Jennifer Waite
 Subject: dll header

Here's the code in ExcellCD4API.h for exporting the functions from ExcellCD4.dll. The commented code was the original code convention. Then I changed the call to PASCAL EXPORT because of the note about exporting functions to non_MFC applications from a DLL dynamically linked against the MFC DLLs. I also added "AFX_MANAGE_STATE(AfxGetStaticModuleState());" before each export function body in ExcellCD4.cpp.

```

////////////////////////////////////
////////////////////////////////////
////////////////////////////////////
////////////////////////////////////
////////////////////////////////////
#ifndef _EXCELLCD4_DLL_API_
#define _EXCELLCD4_DLL_API_
#include "SysComms.h"

extern "C" int PASCAL EXPORT LoadCD4Params(CD4_Algorithm_Params
*pCD4PatientParams);

extern "C" int PASCAL EXPORT ReadCD4Results(BYTE *pWideAngle,
    BYTE *pExtinction,
    BYTE *pSmallAngle,
    BYTE *pSuperWideAngle,
    BYTE *pClassification,
    sample *pCalculated,
    char *FCSFileName,
    long WBCCCount,

```

```

        long NeutCount,
        long LymCount,
        long MonoCount,
        long CBCFlags);

//extern "C" __declspec (dllexport) int ReadCD4Results(BYTE *pWideAngle,
//
//        BYTE *pExtinction,
//        BYTE *pSmallAngle,
//        BYTE *pSuperWideAngle,
//        BYTE *pClassification,
//        sample *pCalculated,
//        char *FCSFileName,
//        long WBCCCount,
//        long NeutCount,
//        long LymCount,
//        long MonoCount,
//        long CBCFlags);

//extern "C" __declspec (dllexport) int
LoadCD4Params(CD4_Algorithm_Params *pCD4PatientParams,
              //CString FCSFileName); #endif
////////////////////////////////////
////////////////////////////////////
////////////////////////////////////
////////////////////////////////////

```

EXHIBIT 6

From: Karl Gu [kgu@mwi-danam.com]
Sent: Tuesday, February 20, 2007 2:21 PM
To: Jennifer Waite
Cc: Andrea Desrosiers; Dorothy Branco; Don Barry; Andrew Kenney
Subject: RE: CD4 UI and DLL code

Hi Jen,

It seems to me that I would not be able to offer much help for the problems that you are having. I have not downloaded your code yet. My schedule is full this week and I will be out of office next week. Here I will offer a little suggestions and clarify things a little bit if there is any confusion before.

First of all, when you have a problem with VB, VB is complaining something. This only tells you there is a problem. However, the real problem might be something else. What I am trying to say is that carousel ActiveX control probably is not the real problem but CD4 dll is the real problem.

You can create a separate simple VB to talk to CD4 dll. Try one function with no parameter, then add parameter passing, step by step to find what is the problem. There are plenty of book, msdn, internet example around. With the joint effort from you, Andrea, and Dorothy, I am confident that you can solve the problem.

second, if carousel activex control do have a problem, Jason will fix the problem. However, Jason has no responsibility to fix any other piece of code. I asked Capsher last week if they have resource and willing to offer help if PCT request and pay the expense. No response so far. It is very hard to find consultant that only do debugging work.

In summary, if PCT team believes that Jason or me will be responsible for fixing all problems related with code produced by PCT team, this is really an unfortunate confusion. I will offer some help if I am available. Capsher will offer help if they are paid by PCT for their work. I hope this is clear.

BTW, Items other than 1 and 2 are trivial.

Regards,
Karl

-----Original Message-----

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Thu 2/15/2007 6:14 PM
To: Karl Gu
Cc: Andrea Desrosiers; Dorothy Branco; Don Barry
Subject: CD4 UI and DLL code

Hi Karl,

If you go to <http://webmail.pointcare.net> <<http://webmail.pointcare.net>> and log in with username "drewsci" and password "cowboys" you will see a folder called "15-Feb-07". In there you'll find a zip file for the UI and a zip file for the DLL...as well as my updated To Do list. Dorothy did not include the code for the actual CD4 algorithm...only the framework. Here is a short summary of what is left to be done/fixed...

1. CD4 DLL and UI Integration Issues

The UI is still getting the same error message when trying to call a function from the DLL. The error description is below in the email chain. For you to test these function calls ... copy the Excell24 directory to your C drive. Then, when you start the UI, go into the Datalog and try to view results for sample number 344. Make sure to put the ExcellCD4.dll file into your C:\Windows\System32 folder.

2. Microsoft Visual Basic IDE crashes with CarouselActiveX.ocx

In the code I gave you I removed the reference to the Carousel ActiveX control from the project...as well as commented out all code referring to the control. When this control is part of the VB project... I have trouble compiling, running, or even saving the project without the IDE crashing on me. Try it!

3. Adding CD4 to LIS Communications

Do you have a sample .ORD file you can send me? I assume this file will contain information about the sample type (CBC or CD4)... correct? Do you know how that will appear in the .ORD file?

4. Control Utility App

I need to update this for CD4 Controls.

5. A couple of other small things

See spreadsheet

6. UPS Communications

I haven't had a chance to do this yet

7. Installation

I haven't had a chance to do this yet

Best Regards,

Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

-----Original Message-----

From: Karl Gu [mailto:kgu@mwi-danam.com]

Sent: Sunday, February 11, 2007 4:04 PM

To: Jennifer Waite

Cc: Andrea Desrosiers; Dorothy Branco

Subject: RE: dll header

Hi Jen,

I am extremely busy recently and may not have any time in two to three days. However, after that I will take a look if you could provide the following:

1. VB code
2. CD4 dll source without the actual algorithm, keep to yourself if you prefer.

Regards,
Karl

-----Original Message-----

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]

Sent: Sat 2/10/2007 11:38 AM

To: Karl Gu

Cc: Andrea Desrosiers; Dorothy Branco

Subject: FW: dll header

Hi Karl,

Dorothy and I are having a bit of trouble integrating her DLL calls into my UI code. I have included (at the bottom of this email) both the VB code declaring and calling the DLL functions as well as Dorothy's VC++ code for exporting the functions. I'm hoping that you can give us some advice since you've done this exact thing before with Hematology.dll. When we started debugging, we were getting the following VB error (from MSDN) at the call to LoadCD4Params():

Error in Loading DLL (Error 48)

A dynamic link library (DLL) <JavaScript:alink_3.Click()> is a library specified in the Lib clause of a Declare statement. This has the following causes and solutions:

- * The file isn't DLL-executable.

If the file is a source-text file, it must be compiled and

linked to Dll, executable form.

- * The file isn't a Microsoft Windows DLL.

Obtain the Microsoft Windows DLL equivalent of the file.

- * The file is an early Microsoft Windows DLL that is incompatible with Microsoft Windows protect mode.

Obtain an updated version of the Dll.

- * The DLL references another DLL that isn't present.

Obtain the referenced Dll, and make it available to the other DLL.

- * The DLL or one of the referenced DLLs isn't in a directory specified by your path.

Move the DLL to a referenced directory or place its current directory on the path.

Dorothy and then changed her code to use the PASCAL EXPORT calls. Now... when the UI calls LoadCD4Params()... the VB IDE crashes completely without giving any intelligent error message. Also... I can't even compile the UI executable without the VB IDE crashing before the compile is complete. (This started happening intermittently ever since I linked in the Carousel ActiveX code.)

Any help or advice you can give us would be great!!
-Jen

```

////////////////////////////////////
////////////////////////////////////
/

```

VB DECLARATIONS (in DllApp.bas):

```

'removed one parameter for easier debug
Public Declare Function LoadCD4Params Lib
"C:\windows\system32\ExcelCD4.dll" (ByRef CD4_Patient_Params As
CD4_Algorithm_Parameters) As Integer

```

```

'original declaration
Public Declare Function LoadCD4Params Lib
"C:\windows\system32\ExcelCD4.dll" (ByRef CD4_Patient_Params As
CD4_Algorithm_Parameters, ByVal CD4FCSFileId As String) As Integer

```

```

Public Declare Function ReadCD4Results Lib
"C:\windows\system32\ExcelCD4.dll" (ByRef WideAngleCD4 As Byte, _
ByRef SmallAngleCD4 As Byte, _
ByRef ExtinctionCD4 As Byte, _
ByRef RightAngleCD4 As Byte, _
ByRef ClassificationCD4 As Byte, _
ByRef CalculatedResultsCD4 As
Calculated_CD4, _
ByVal CD4FCSFileId As String, _

```

```

ByVal WBCCount As Long, _
ByVal NeutCount As Long, _
ByVal LYMCCount As Long, _
ByVal MonoCount As Long, _
ByVal CBCFlags As Long) As Integer

```

VB FUNCTION CALLS (in frmDataLogresult.DisplayResults())

```

Dim i As Integer
If iSampleType = 4 Or iSampleType = 5 Then
    If iSampleType = 4 Then
        result = LoadCD4Params(CD4_Patient_Params)
        'result = LoadCD4Params(CD4_Patient_Params, strCD4FCS)
    Else
        result = LoadCD4Params(CD4_Control_Params)
        'result = LoadCD4Params(CD4_Control_Params, strCD4FCS)
    End If

    result = ReadCD4Results(WideAngleCD4(0), SmallAngleCD4(0),
        ExtinctionCD4(0), _
        RightAngleCD4(0), ClassificationCD4(0),
        _
        CalculatedResultsCD4, strCD4FCS,
        CalculatedResults.result(0), _
        CalculatedResults.result(1),
        CalculatedResults.result(2), _
        CalculatedResults.result(3),
        CalculatedResults.Flags)
    MergeResults
End If

```

From: Dorothy Branco
 Sent: Fri 2/9/2007 5:03 PM
 To: Jennifer Waite
 Subject: dll header

Here's the code in ExcellCD4API.h for exporting the functions from
 ExcellCD4.dll. The commented code was the original code convention.
 Then I changed the call to PASCAL EXPORT because of the note about
 exporting functions to non_MFC applications from a DLL, dynamically
 linked against the MFC DLLs. I also added
 "AFX_MANAGE_STATE(AfxGetStaticModuleState());" before each export
 function body in ExcellCD4.cpp.

```

////////////////////////////////////
////////////////////////////////////
////////////////////////////////////
#ifndef _EXCELLCD4_DLL_API_
#define _EXCELLCD4_DLL_API_
#include "SysComms.h"

extern "C" int PASCAL EXPORT LoadCD4Params(CD4_Algorithm_Params
*pCD4PatientParams);

extern "C" int PASCAL EXPORT ReadCD4Results(BYTE *pWideAngle,
    BYTE *pExtinction,
    BYTE *pSmallAngle,

```

```

    BYTE *pSuperWideAngle,
    BYTE *pClassification,
    sample *pCalculated,
    char *FCSFileName,
    long WBCCount,
    long NeutCount,
    long LymCount,
    long MonoCount,
    long CBCFlags);

//extern "C" __declspec(dllexport) int ReadCD4Results(BYTE *pWideAngle,
//    BYTE *pExtinction,
//    BYTE *pSmallAngle,
//    BYTE *pSuperWideAngle,
//    BYTE *pClassification,
//    sample *pCalculated,
//    char *FCSFileName,
//    long WBCCount,
//    long NeutCount,
//    long LymCount,
//    long MonoCount,
//    long CBCFlags);

//extern "C" __declspec(dllexport) int
LoadCD4Params(CD4_Algorithm_Params *pCD4PatientParams,
              //CString FCSFileName);

#endif
///////////////////////////////////////////////////////////////////
///////////////////////////////////////////////////////////////////
///////////////////////////////////////////////////////////////////

```

EXHIBIT 7

From: Jennifer Waite
Sent: Wednesday, March 21, 2007 9:54 AM
To: 'sherry@capsher.com'
Cc: Andrea Desrosiers; Don Barry; 'Karl Gu'; Peter Hansen
Subject: Pointcare Project Update Request

Hi Kevin,

Could you give me a quick update on the status of the two issues you're working on for PointCare as well as an estimated date of completion?
Both PointCare and Drew are waiting patiently on the delivery of the UI software which has been held up (for several weeks now) by the issues you're working on. This development of this instrument is on a very tight schedule so we really do need some information from you as soon as possible.

Thank you in advance...you're work is greatly appreciated!

Sincerely,

Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

EXHIBIT 8

From: Jennifer Waite
Sent: Saturday, June 02, 2007 5:05 PM
To: Jennifer Waite; 'Williamross7@tx.rr.com'; 'Karl Gu'
Cc: Andrea Desrosiers
Subject: RE: CD4 UI

William and Karl,
Please read the email below. It was returned to me by our server because my attachment size was too big. I have placed the 2 .zip files onto our FTP site so that you can download them. Our ftp site is ftp://webmail.pointcare.net. You can log in with user name "drewsci" and password "cowboys". The files are in the "CD4 UI 1-Jun-07" directory.

Have a great weekend!
Jen

From: Jennifer Waite
Sent: Fri 6/1/2007 7:35 PM
To: 'Williamross7@tx.rr.com'; 'Karl Gu'
Cc: Andrea Desrosiers
Subject: CD4 UI

Hi William and Karl,

I have attached a zip file containing the necessary files for installing the UI, which you can use to start testing. Just launch the install.bat file. Most (see list below) Hematology and CD4 functions should work, but you will not get meaningful CD4 data, as we discussed yesterday with Peter on the phone. Please be aware that due to the current state of the CD4.dll, anytime you view CD4 results you will have about a 3 to 7 second delay before the results are actually shown.

When you install the UI, a populated Excell24.mdb database and many sample data files will be installed so you can immediately start testing many functions without having to run samples. If you would like default (empty) databases, you will find them in the C:\Excell24\Databases directory called Excell24_Template.mdb and XL24Setup_XL24_Template.mdb. You just have to rename them before use. There are no user passwords set up in the populated Excell24.mdb database. If you use the empty database, the Service user password is "service".

The second zip file I attached to this email contains the updated Control Utility program and accompanying source code and database.

Here is a list of UI tasks that still need to be completed:

1. STAT function needs more debugging. It doesn't work correctly at this time.
2. UPS support

3. Waiting for a few more button icon images from Dennis Chappell
4. Modify a few function calls when Dorothy updates ExcellCD4.dll.
5. Add support for CD4 flags (this won't happen until we can get meaningful CD4 data).
6. Need to fix the CD4 Control barcode label. The barcode is too small on the current label to be automatically read by the Auto Sampler.
7. Drew needs to supply new Main Screen logo image (Designed by Dennis?)
8. Need to add option on Operation Setup screen for 24-Hour time display throughout the UI. This was requested by Peter.
9. Language translation, testing, and accompanying screen adjustments.
10. Update Peer Review Utility (Karl mentioned this to me briefly while I was in TX. I do not have the code).

As far as documentation is concerned, I owe you guys an updated SRS (requirements document), as well as an updated Validation document with the CD4 functions added in.

I do not know at this time when these tasks will be complete because for the next 2 weeks I will be working on our AuRICA NOW software validation which includes me going to France for a week. I will, of course, be reachable at any time through email.

Please don't hesitate to contact me with any questions.

Best Regards,

Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

EXHIBIT 9

From: Jennifer Waite
Sent: Friday, June 08, 2007 10:20 AM
To: 'Karl Gu'; 'Williamross7@tx.r.com'
Cc: Andrea Desrosiers; Dorothy Branco
Subject: CD4 Update

Attachments: CD4 DLL & DLL Update 8Jun07.zip



CD4 DLL & DLL
Update 8Jun07.zi...

Hi Karl and William,

The attached zip file contains a new CD4 DLL file, a new UI executable file, and the CD4 DLL integration document. Dorothy has completed the DLL changes that we discussed in TX and is described in the document.

The UI executable has changed to support the new RecoverCD4Results() function call.

Karl, I finally figured out why I was having LIS communication problems a couple of weeks ago. The reason is that I didn't know I needed a "null modem" cable. I finally found one and tested your DLL. I tested transferring a CD4 control result file and everything is working correctly as far as I can tell.

Also, Karl, could you make a small change to Hematology24.dll for us? We noticed that when you are creating the CD4 .fcs file, you are writing junk (left over) data into the part of the file that holds classification data. Could you make it a point to pack zeros into this part of the file? The reason is that we don't want to have false classification values in the file at any time... in case the software crashes or is terminated for some unknown reason before the CD4 dll has a chance to touch the file and reset that data. Let me know if you need clarification.

Thanks...and have a great weekend!

-Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

EXHIBIT 10

From: Karl Gu [kgu@mwi-danam.com]
Sent: Friday, June 08, 2007 10:48 AM
To: Jennifer Waite
Cc: Andrea Desrosiers; Dorothy Branco; Williamross7@tx.rr.com
Subject: RE: CD4 Update

Hi Jen,

I will change the dll to pack zeros in the classification part. William will try the new software soon.

Have a good weekend.

Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Friday, June 08, 2007 10:20 AM
To: Karl Gu; Williamross7@tx.rr.com
Cc: Andrea Desrosiers; Dorothy Branco
Subject: CD4 Update

Hi Karl and William,

The attached zip file contains a new CD4 DLL file, a new UI executable file, and the CD4 DLL integration document. Dorothy has completed the DLL changes that we discussed in TX and is described in the document. The UI executable has changed to support the new RecoverCD4Results() function call.

Karl, I finally figured out why I was having LIS communication problems a couple of weeks ago. The reason is that I didn't know I needed a "null modem" cable. I finally found one and tested your DLL. I tested transferring a CD4 control result file and everything is working correctly as far as I can tell.

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Thanks...and have a great weekend!

-Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

EXHIBIT 11

From: Jennifer Waite
Sent: Friday, July 20, 2007 11:12 AM
To: 'Karl Gu'
Cc: 'Williamross7@tx.rr.com'; Amy Coughlin
Subject: Request for George

Hi Karl,

Could you ask George to modify the special conditioning deck so that it does not try to access the Wash Block? I'm trying to fix the STAT function and I keep getting Wash Block errors at the special conditioning step. George can either email Amy or I the modified deck file.

Thanks!!

-Jen

Jennifer Waite
Software Engineer
PointCare Technologies, Inc.
tel: (508) 281-6926 x15
fax: (508) 281-6930
jwaite@pointcare.net

-----Original Message-----

From: Karl Gu [mailto:kgu@mwi-danam.com]
Sent: Friday, June 08, 2007 1:29 PM
To: Jennifer Waite; Williamross7@tx.rr.com
Cc: Andrea Desrosiers; Dorothy Branco
Subject: RE: CD4 Update

Hi Jen,

I checked Hematology24.dll code. The classification for CD4 is set as 0 all the time when store to disk. I am not sure why you have any junk data.

Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Friday, June 08, 2007 10:20 AM
To: Karl Gu; Williamross7@tx.rr.com
Cc: Andrea Desrosiers; Dorothy Branco
Subject: CD4 Update

Hi Karl and William,

The attached zip file contains a new CD4 DLL file, a new UI executable file, and the CD4 DLL integration document. Dorothy has completed the DLL changes that we discussed in TX and is described in the document.
The UI executable has changed to support the new RecoverCD4Results() function call.

Karl, I finally figured out why I was having LIS communication problems a couple of weeks ago. The reason is that I didn't know I needed a "null modem" cable. I finally found one and tested your DLL. I tested transferring a CD4 control result file and everything is working correctly as far as I can tell.

Also, Karl, could you make a small change to Hematology24.dll for us? We noticed that when you are creating the CD4 .fcs file, you are writing junk (left over) data into the part of the file that holds classification data. Could you make it a point to pack zeros into this part of the file? The reason is that we don't want to have false classification values in the file at any time... in case the software crashes or is terminated for some unknown reason before the CD4 dll has a chance to touch the file and reset that data. Let me know if you need clarification.

Thanks...and have a great weekend!

-Jen

Jennifer Waite
Software Engineer
PointCare Technologies, Inc.
tel: (508) 281-6926 x15
fax: (508) 281-6930
jwaite@pointcare.net

EXHIBIT 12

From: Karl Gu [kgu@mwi-danam.com]
Sent: Tuesday, July 24, 2007 3:07 PM
To: Jennifer Waite
Subject: RE: Request for George

Hi Jen,

George was informed of your request yesterday. We had email problems, not be able to get back to you earlier.

Karl

-----Original Message-----

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Fri 7/20/2007 12:12 PM
To: Karl Gu
Cc: Williamross7@tx.rr.com; Amy Coughlin
Subject: Request for George

Hi Karl,

Could you ask George to modify the special conditioning deck so that it does not try to access the Wash Block? I'm trying to fix the STAT function and I keep getting Wash Block errors at the special conditioning step. George can either email Amy or I the modified deck file.

Thanks!!

-Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tel: (508) 281-6926 x15

fax: (508) 281-6930

jwaite@pointcare.net

-----Original Message-----

From: Karl Gu [mailto:kgu@mwi-danam.com]
Sent: Friday, June 08, 2007 1:29 PM
To: Jennifer Waite; Williamross7@tx.rr.com
Cc: Andrea Desrosiers; Dorothy Branco

Subject: RE: CD4 Update

Hi Jen,

I checked Hematology24.dll code. The classification for CD4 is set as 0 all the time when store to disk. I am not sure why you have any junk data.

Karl

From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
Sent: Friday, June 08, 2007 10:20 AM
To: Karl Gu; Williamross7@tx.rr.com
Cc: Andrea Desrosiers; Dorothy Branco
Subject: CD4 Update

Hi Karl and William,

The attached zip file contains a new CD4 DLL file, a new UI executable file, and the CD4 DLL integration document. Dorothy has completed the DLL changes that we discussed in TX and is described in the document. The UI executable has changed to support the new RecoverCD4Results() function call.

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Thanks...and have a great weekend!

-Jen

Jennifer Waite

Software Engineer

PointCare Technologies, Inc.

tcl: (508) 281-6926 x15

fax: (508) 281-6930

jwaitec@pointcare.net

EXHIBIT 13

From: George Chappell [gchappell@mwi-danam.com]
Sent: Wednesday, November 21, 2007 7:14 PM
To: Jennifer Waite
Subject: FW: Request for George

Attachments: S2SPCOND.300; S2SPCOND.DCK



S2SPCOND.300 (15 KB)



S2SPCOND.DCK (5 KB)

-----Original Message-----

From: George Chappell
Sent: Tuesday, July 31, 2007 9:19 AM
To: William Ross
Subject: RE: Request for George

I made the mod last week, but we had no email.
GDC

-----Original Message-----

From: William Ross
Sent: Monday, July 30, 2007 3:12 PM
To: George Chappell
Subject: FW: Request for George

-----Original Message-----

From: williamross7@tx.rr.com [mailto:williamross7@tx.rr.com]
Sent: Monday, July 23, 2007 1:12 PM
To: William Ross
Subject: Fwd: Request for George

> Subject: Request for George
> Date: Fri, 20 Jul 2007 12:12:19 -0400
> From: "Jennifer Waite" <jwaite@pointcaretechnologies.com>
> To: "Karl Gu" <kgu@mwi-danam.com>
> Cc: <Williamross7@tx.rr.com>,
"Amy Coughlin" <acoughlin@pointcare.net>

> Hi Karl,

> Could you ask George to modify the special conditioning deck so that
> it does not try to access the Wash Block? I'm trying to fix the STAT
> function and I keep getting Wash Block errors at the special
> conditioning step. George can either email Amy or I the modified deck
> file.

> Thanks!!

> -Jen

>
>
> Jennifer Waite
>
> Software Engineer
>
> PointCare Technologies, Inc.
>
> tel: (508) 281-6926 x15
>
> fax: (508) 281-6930
>
> jwaite@pointcare.net
>
>
>
> -----Original Message-----
> From: Karl Gu [mailto:kgu@mwi-danam.com]
> Sent: Friday, June 08, 2007 1:29 PM
> To: Jennifer Waite; Williamross7@tx.rr.com
> Cc: Andrea Desrosiers; Dorothy Branco
> Subject: RE: CD4 Update
>
>
>
> Hi Jen,
>
>
>
> I checked Hematology24.dll code. The classification for CD4 is set as
> 0 all the time when store to disk. I am not sure why you have any junk
>
> data.
>
>
>
> Karl
>
>
>
>
>
> _____
> From: Jennifer Waite [mailto:jwaite@pointcaretechnologies.com]
> Sent: Friday, June 08, 2007 10:20 AM
> To: Karl Gu; Williamross7@tx.rr.com
> Cc: Andrea Desrosiers; Dorothy Branco
> Subject: CD4 Update
>
> Hi Karl and William,
>
>
>
> The attached zip file contains a new CD4 DLL file, a new UI executable
>
> file, and the CD4 DLL integration document. Dorothy has completed the
> DLL changes that we discussed in TX and is described in the document.
> The UI executable has changed to support the new RecoverCD4Results()
> function call.
>
>
>
>
> Karl, I finally figured out why I was having LIS communication
> problems a couple of weeks ago. The reason is that I didn't know I
> needed a "null modem" cable. I finally found one and tested your DLL.
> I tested transferring a CD4 control result file and everything is

> working correctly as far as I can tell.
>
>
>
> Also, Karl, could you make a small change to Hematology24.dll for us?
> We noticed that when you are creating the CD4 .fcs file, you are
> writing junk (left over) data into the part of the file that holds
> classification data. Could you make it a point to pack zeros into this

> part of the file? The reason is that we don't want to have false
> classification values in the file at any time... in case the software
> crashes or is terminated for some unknown reason before the CD4 dll
> has a chance to touch the file and reset that data. Let me know if you

> need clarification.
>
>
>
> Thanks...and have a great weekend!
>
> -Jen
>
>
>
> Jennifer Waite
>
> Software Engineer
>
> PointCare Technologies, Inc.
>
> tel: (508) 281-6926 x15
>
> fax: (508) 281-6930
>
> jwaite@pointcare.net
>
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